IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION NO: 10113 of 2005

Between:

K. Sarada, W/o. K. Bali Reddy, Hindu,
R/o. 28/458, Noonepalli Village, Nanyal Mandal, Kurnool District.

.... PETITIONER

AND

1 The Commissioner, Nandyal Municipality, Nandyal,
Kurnool District.
2 The Municipal Revenue Inspector, Nandyal Municipality,

Nandyal, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring the action of the 1st respondent in not conducting a fresh auction for the Nandyal daily market after cancelling the earlier auction by his Endorsement R.O.C.No. 945/2005.A1 dated 31-3-2005 and further permitting the Municipal authorities to collect the fees as illegal, arbitrary, unjust and unconstitutional being politically motivated and consequently direct the 1st respondent to forthwith take appropriate steps to conduct the auction afresh, and pass such other and further order or orders.

Counsel for the Petitioner: MR.D.SESHASAYANA REDDY

Counsel for the Respondents: MR.S.I.NEWTON

The Court made the following:

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ORDER:

This writ petition is filed seeking a writ of *Mandamus* declaring the action of the first respondent in not conducting a fresh auction for the Nandyal daily market, after canceling the earlier auction.

2. It is the case of the petitioner that, earlier, auction was conducted, but it was not confirmed in favour of any bidder and, in that view of the matter, he seeks directions for holding fresh auction. It is stated that presently Municipality itself is collecting rents in the market area. In that view of the matter, it is for the Municipality whether to notify any fresh auction or not, and the petitioner cannot seek writ of Mandamus to hold fresh auction.

3. The writ petition is devoid of merits and it is accordingly dismissed. No costs.

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R.SUBHASH REDDY, J

Dated: 28.04.2005

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To

1 The Commissioner, Nandyal Municipality, Nandyal,
Kurnool District.
2 The Municipal Revenue Inspector, Nandyal Municipality,

Nandyal, Kurnool District.

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